

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

DOCKET NO. 1:16CR147

FILED IN COURT  
ASHEVILLE, NC

AUG 30 2018

U.S. DISTRICT COURT  
W. DISTRICT OF N.C.

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
v. )  
)  
CARL JACK HALL, )  
)  
Defendant. )

**ORDER OF FORFEITURE**

THIS MATTER is before the Court on the Government's oral Motion for Preliminary Order of Forfeiture of **one HP laptop computer, bearing serial number 2CE308056P, seized during the investigation of Defendant (hereafter, "the HP Laptop")**. Defendant neither consents to nor objects to the Motion. For good cause, this Court will GRANT the oral Motion.

THIS COURT FINDS AS FOLLOWS:

The Bill of Indictment (Doc. 1) in this case charged Defendant with child pornography receipt and possession offenses in violation of 18 U.S.C. § 2252A. Following trial, a Jury found Defendant guilty of these violations.

The Indictment also provided notice that the HP Laptop was subject to forfeiture pursuant to 18 U.S.C. § 2253. The evidence at trial established that law

enforcement located child pornography on the HP Laptop. The sentencing record contains information that further buttresses that trial evidence. Thus, for purposes of Fed. R. Crim. P. 32.2 and the procedural provisions of 21 U.S.C. § 853, the Government has established by a preponderance of the evidence that the HP Laptop was used or intended to be used to promote the child pornography violations and contained depictions received during the violations, and is thus subject to forfeiture pursuant to 18 U.S.C. § 2253.

IT IS THEREFORE ORDERED that, for purposes of Fed. R. Crim. P. 32.2 and 18 U.S.C. § 2253, the following property is subject to forfeiture and the Government is authorized to take possession of and maintain custody of the property for forfeiture:

- **One HP laptop computer, bearing serial number 2CE308056P, seized during the investigation of Defendant.**

Pursuant to 21 U.S.C. § 853(n)(1), the Government shall publish notice of this order; notice of its intent to dispose of the property in such manner as the Attorney General may direct; and notice that any person, other than the Defendant, having or claiming a legal interest in any of the above-listed forfeited Funds must file a petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier. This notice shall state that the

petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in property that is the subject of this Order, as a substitute for published notice as to those persons so notified.

Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture. If no third parties file petitions, this Order shall become final by operation of law.

**SO ORDERED**

SO ORDERED this 30 day of August, 2018.



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HON. MARTIN REIDINGER  
UNITED STATES DISTRICT JUDGE